

the maple tree, and was offered for sale and sold under the distinctive name of maple flavor, and for the further reason that said article was labeled and branded so as to deceive and mislead the purchaser into the belief that it was a genuine maple flavor prepared from a product of the maple tree, when, as a matter of fact, said article was not a genuine maple flavor, but was an imitation of maple flavor.

On May 1, 1914, the defendant entered a plea of guilty to the information and the court imposed a fine of \$50.

D. F. HOUSTON, *Secretary of Agriculture.*

WASHINGTON, D. C., *September 28, 1914.*

3461. Adulteration and misbranding of bran. U. S. v. 200 Sacks of Bran. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 5574. I. S. No. 2388-h. S. No. 2105.)

On or about February 14, 1914, the United States attorney for the Northern District of West Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 200 sacks of bran, remaining unsold in the original unbroken packages at Parkersburg, W. Va., alleging that the product had been shipped in January, 1914, by the Northwestern Elevator & Mill Co., Mount Vernon, Ohio, and transported in interstate commerce from the State of Ohio into the State of West Virginia, and charging adulteration and misbranding in violation of the Food and Drugs Act. Some of the bags were labeled: "The Northwestern Elevator & Mill Co., Mt. Vernon, O. Taylor's Bran—100 lbs. Guaranteed analysis not less than Protein 14.00 to 15.00%, Crude Fat 4.00 to 5.00%, Crude Fibre 5.00 to 6.00%." The remainder of the bags were labeled: "Northwestern Elevator & Mill Co., Mt. Vernon, Ohio Taylor's Bran 100 lbs. net.—Guaranteed analysis not less than Protein 13.00 to 15.00%, Crude Fat 4.00 to 5.00%, Crude Fibre 5.00 to 6.00%."

It was alleged in the libel that the product was adulterated and misbranded in violation of the act of Congress of June 30, 1906, in that an analysis of the product showed that it contained 5.31 per cent foreign matter which consisted chiefly of added screenings and which had been mixed and packed with the bran in such manner as to reduce and lower or injuriously affect its quality or strength, and that said product was misbranded, in that it was labeled "Bran," when, in truth and in fact, the said product contained added screenings.

On April 7, 1914, the said Northwestern Elevator & Mill Co., claimant, having admitted the allegations in the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon payment of the costs of the proceedings and the execution of bond in the sum of \$500, in conformity with section 10 of the act, one of the conditions of which was that the bran should be relabeled and marked in accordance with the act of Congress and the regulations thereunder and should not be disposed of in violation of any Federal or State statute.

D. F. HOUSTON, *Secretary of Agriculture.*

WASHINGTON, D. C., *September 28, 1914.*

3462. Adulteration and misbranding of vinegar. U. S. v. P. H. Sugrue (P. H. Sugrue & Sons). Plea of guilty. Fine, \$10 and costs. (F. & D. No. 5592. I. S. No. 2672-e.)

On March 19, 1914, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against P. H. Sugrue, doing business under the name of P. H. Sugrue & Sons, Cleveland, Ohio, alleging the sale by said defendant, on or about October 23, 1912, under a guarantee that, among other things, the product complied with the Food and Drugs Act, of a quantity of so-called pure cider vinegar, which was adulterated and misbranded in violation of said act, and which said product on or about December 10, 1912, was shipped by the purchaser

thereof from the State of Ohio into the State of Pennsylvania. The product was labeled: "Wm. Edwards Co., Clifton Brand Pure Cider Vinegar, Cleveland, O. 49 Sugrue & Sons."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed the following results:

Alcohol (grams per 100 cc).....	0. 42
Glycerol (grams per 100 cc).....	0. 10
Solids (grams per 100 cc).....	1. 61
Nonsugar solids (grams per 100 cc).....	1. 45
Reducing sugars (grams per 100 cc).....	0. 16
Ash (grams per 100 cc).....	0. 62
Alkalinity of soluble ash (cc N/10 acid per 100 cc).....	73. 8
Total P ₂ O ₅ (mg per 100 cc).....	13. 9
Total acid (grams per 100 cc).....	4. 02
Ash in nonsugar solids (per cent).....	42. 8

Adulteration of the product was alleged in the information for the reason that other substances, namely, a dilute solution of acetic acid or distilled vinegar and mineral matter, prepared in imitation of cider vinegar, had been substituted in whole or in part for cider vinegar, which said article purported to be. Misbranding was alleged for the reason that the statement "Pure Cider Vinegar," borne on the package in which said article was sold and delivered, was false and misleading because, as a matter of fact, said article was not pure cider vinegar but was a substance consisting in whole or in part of a dilute solution of acetic acid or distilled vinegar and mineral matter mixed and prepared in imitation of cider vinegar. Misbranding was alleged for the further reason that said article was an imitation of cider vinegar, prepared wholly or in part from dilute acetic acid or distilled vinegar and mineral matter, and said article was offered for sale and sold under the distinctive name of cider vinegar. Misbranding was alleged for the further reason that the article was labeled and branded so as to deceive and mislead the purchaser thereof into the belief that it was pure cider vinegar when not so; that is to say, said article was labeled and branded with the words "Pure Cider Vinegar," when, as a matter of fact, it was not pure cider vinegar but was an imitation cider vinegar, prepared from dilute acetic acid or distilled vinegar and mineral matter.

On April 30, 1914, the defendant entered a plea of guilty to the information and the court imposed a fine of \$10 and costs.

D. F. HOUSTON, *Secretary of Agriculture*.

WASHINGTON, D. C., *September 28, 1914.*

3463. Adulteration and misbranding of cheese. U. S. v. 50 Boxes of Misbranded and Adulterated Whey Cheese. Consent decree of condemnation, forfeiture, and destruction.
(F. & D. No. 5599. I. S. No. 8109-h. S. No. 2122.)

On February 23, 1914, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 50 boxes, each containing 30 pounds of whey cheese, remaining unsold in the original unbroken packages at Portland, Oreg., alleging that the product had been shipped on or about January 23, 1914, by the Lake Zurich Creamery Co., Palatine, Ill., and transported from the State of Illinois into the State of Oregon, and charging adulteration and misbranding in violation of the Food and Drugs Act. The product was labeled: "Lake Zurich Creamery Company, 'Primost' Palatine, Illinois," and "Whey Cheese, Lake Zurich Brand, 'Primost,' 1 pound when packed."

It was alleged in the libel that the product was adulterated in that there had been mixed and packed with said cheese a substance, to wit, saccharin, which substance reduced, lowered, and injuriously affected the quality and strength of said whey